



# California Regulatory Notice Register

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MAY 21, 2010

## PROPOSED ACTION ON REGULATIONS

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

*Conflict-of-Interest Code — Notice File No. Z2010-0511-13* ..... 719

STATE: CA Public Employee's Retirement Systems (CalPERS)

### TITLE 5. BOARD OF EDUCATION

*Charter Revocation and Revocation Appeals — Notice File No. Z2010-0511-02* ..... 720

### TITLE 5. BOARD OF EDUCATION

*Middle School Dropouts in the Academic Performance Index — Notice File No. Z2010-0511-03* ..... 722

### TITLE 5. BOARD OF EDUCATION

*No Child Left Behind Supplemental Educational Services — Notice File No. Z2010-0511-04* ..... 724

### TITLE 5. BOARD OF EDUCATION

*Standardized Testing and Reporting Programs (STAR) — Notice File No. Z2010-0511-05* ..... 726

### TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

*SRA Classification System, 2010 — Notice File No. Z2010-0511-08* ..... 729

## GENERAL PUBLIC INTEREST

### DEPARTMENT OF FISH AND GAME

*CESA Consistency Determination for Markeley Lane Road Extension* ..... 731

### DEPARTMENT OF FISH AND GAME

*CESA Consistency Determination for Palermo-Colgate-Rio Oso Transmission Line Reconductoring Project* ..... 733

(Continued on next page)

*Time-  
Dated  
Material*

## DEPARTMENT OF FISH AND GAME

<i>Population Dynamics of Lost River and Shortnose Suckers in Clear Lake Reservoir</i> .....	736
--	-----

## MANAGED RISK MEDICAL INSURANCE BOARD

<i>Notice of Correction — AIM Enrollment Limitation</i> .....	737
---	-----

## PROPOSITION 65

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

<i>Chemicals Known to the State to Cause Cancer or Reproductive Toxicity</i> .....	737
--	-----

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

<i>Chemical Listed Effective May 21, 2010: N,N-Dimethylacetamide Via the Labor Code</i> .....	755
---	-----

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

<i>Proposed Reference Exposure Levels for Caprolactam</i> .....	756
---	-----

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

<i>Request for Relevant Information on DEF Being considered for Listing by the Authoritative Bodies Mechanism</i> .....	756
---	-----

## OAL REGULATORY DETERMINATION

### DEPARTMENT OF CORRECTIONS AND REHABILITATION

<i>Various Documents Concerning “Blank Greeting Cards” Issued by the California State Prison, Pelican Bay</i> .....	758
---	-----

## DISAPPROVAL DECISION

CALIFORNIA HIGHWAY PATROL .....	759
---------------------------------	-----

## SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State .....	760
Sections Filed, December 9, 2009 — May 12, 2010 .....	762

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

#### CONFLICT-OF-INTEREST CODES

##### AMENDMENT

STATE: CA Public Employee's Retirement Systems (CalPERS)

A written comment period has been established commencing on **May 21, 2010**, and closing on **July 5, 2010**. Written comments should be directed to the Fair Political Practices Commission, Attention **Cynthia Fisher**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Direc-

tor of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **July 5, 2010**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code(s) and approve it as revised, or return the proposed code(s) for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Cynthia Fisher, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

spective agency. Requests for copies from the Commission should be made to **Cynthia Fisher**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

## **TITLE 5. BOARD OF EDUCATION**

### **NOTICE OF PROPOSED RULEMAKING**

#### **AMENDMENTS TO THE CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING CHARTER REVOCATION AND REVOCATION APPEALS**

[Notice Published May 21, 2010]

**NOTICE IS HEREBY GIVEN** that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

#### **PUBLIC HEARING**

California Department of Education (CDE) staff, on behalf of the SBE, will hold a public hearing at **1:00 p.m. on July 6, 2010**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SBE requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

#### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Thacker, Regulations Coordinator  
LEGAL DIVISION  
California Department of Education  
1430 N Street, Room 5319  
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov).

Comments must be received by the Regulations Coordinator by **5:00 p.m. on July 6, 2010**. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

#### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

#### **AUTHORITY AND REFERENCE**

Authority: Sections 33031, 47602, 47612 and 47614, Education Code.

Reference: Sections 47602, 47604.32, 47604.5, 47605.8, 47607, 47612 and 47614, Education Code; 20 U.S.C. Section 1414.

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Education Code (EC) sections 47607(c) through 47607(g) provide the criteria for revocation of a school's charter by a chartering authority and the process by which a school may appeal a revocation decision to a county board of education and/or the SBE.

Through this rulemaking process, the SBE proposes to amend Article 2 and add Article 2.5 to Subchapter 19 of Chapter 11 of Division 1 of the California Code of Regulations, Title 5. The proposed regulations clarify and make more specific the provisions of EC sections 47604.5 and 47607 regarding the process and timelines for revocation of a school's charter, and the appeals process up to and including the SBE.

Amendments to Article 2 provide the definitions necessary to carry out the revocation and revocation appeals process proposed in this rulemaking package.

Proposed Article 2.5 contains five new provisions that are intended to:

- Establish the procedures the CDE shall complete prior to when the State Superintendent of Public

Instruction (SSPI) makes a recommendation to the SBE to take appropriate action, including, but not limited to, revocation of a school's charter under *EC* section 47604.5.

- Establish the procedures a chartering authority shall complete for the revocation of a school's charter pursuant to *EC* section 47607(c).
- Establish the procedures the chartering authority shall complete for the revocation of a school's charter when a chartering authority has determined that any violation under *EC* section 47607(c) constitutes a severe and imminent threat to the health or safety of pupils.
- Establish the procedures for a charter school to appeal to a county board of education a district chartering authority's final decision to revoke the school's charter.
- Establish the procedures for a charter school or district chartering authority to appeal a revocation decision to the SBE.

#### DISCLOSURES REGARDING THE PROPOSED REGULATION

*The SBE has made the following initial determinations:*

Mandate on local agencies or school districts: None  
Cost or savings to state agencies: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the *Government Code*: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SBE is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: None

Effect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because they relate only to charter

schools, school districts, and the CDE, and not to small business practices.

#### CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of the SBE, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action. The SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the content of this regulation may be directed to:

Michelle Ruskofsky, Education Administrator  
Charter Schools Division  
California Department of Education  
1430 N Street, Room 5401  
Sacramento, CA 95814  
Telephone: 916-322-6029

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The SBE has prepared an initial statement of reasons for the proposed regulations and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rf>.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which



is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the final statement of reasons, once it has been finalized, by making a written request to the Regulations Coordinator.

#### REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Michelle Ruskofsky, Charter Schools Division, 1430 N Street, Sacramento, CA, 95814; telephone, 916-322-6029. It is recommended that assistance be requested at least two weeks prior to the hearing.

### TITLE 5. BOARD OF EDUCATION

#### NOTICE OF PROPOSED RULEMAKING

##### AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING INCLUSION OF MIDDLE SCHOOL DROPOUTS IN THE ACADEMIC PERFORMANCE INDEX

[Notice published May 21, 2010]

**NOTICE IS HEREBY GIVEN** that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

#### PUBLIC HEARING

California Department of Education staff, on behalf of the SBE, will hold a public hearing beginning at **9:00 a.m. on July 6, 2010**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SBE requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Thacker, Regulations Coordinator  
LEGAL DIVISION  
California Department of Education  
1430 N Street, Room 5319  
Sacramento, California 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov).

Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on July 6, 2010**. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

#### AUTHORITY AND REFERENCE

Authority: Sections 33031 and 52052, Education Code.

Reference: Sections 37200, 52052 and 52052.1, Education Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The SBE proposes to add Article 1.8 to Division 1, Chapter 2, Subchapter 4 of the California Code of Regulations, Title 5. This section concerns the inclusion of dropout rates for pupils who drop out of school while enrolled in grade eight or grade nine in the Academic Performance Index (API).

The intent of these proposed regulations is to define a dropout rate for the purpose of inclusion in the API.

Specifically, these regulations provide a definition of dropouts (numerator) and a definition of enrollment (denominator) to be used in the dropout rate calculation.

California Education Code section 52052.1 (added by Senate Bill [SB] 219, Stats. of 2007, c. 731) requires the inclusion of dropout rates for pupils who drop out of school while enrolled in grade eight or grade nine in the API. The implementation of this requirement was originally contingent upon local educational agencies (LEAs) receiving a per pupil allocation for implementation of the California Longitudinal Pupil Achievement Data System (CALPADS) prior to the 2010–11 fiscal year. SB 651 (Stats. of 2009, c.197) amended Education Code section 52052.1 by removing the CALPADS funding trigger and made this section of the Education Code operative.

These proposed regulations define the dropout rate as the number of dropouts divided by enrollment for each school and LEA with enrollment. The number of dropouts is equal to the number of grade eight academic year dropouts plus the number of grade nine summer dropouts.

A grade eight academic year dropout means a student who:

- Enrolled in grade eight during the academic school year; and
- Left school prior to completing the academic school year, and is not enrolled at any school on the first Wednesday in October of the following academic year.

These dropouts are attributed to the grade eight school and LEA in which the student was last enrolled in grade eight.

A grade nine summer dropout means a student who:

- Was enrolled in grade eight at the end of the academic school year; and
- Did not begin attending grade nine or any other grade in any school by the first Wednesday in October of the subsequent academic school year as determined by CALPADS.

These dropouts are attributed to the grade eight school and LEA in which the student completed grade eight.

Enrollment used to calculate the dropout rate (i.e. the denominator) is equal to the number of grade eight academic year dropouts plus the number of prospective grade nine students. Prospective grade nine students are those students who successfully completed grade eight.

The academic school year for the purposes of these regulations is defined as beginning on July 1 and ending on June 30.

## DISCLOSURES REGARDING THE PROPOSED REGULATION

*The SBE has made the following initial determinations:*

Mandate on local agencies or school districts: None

Cost or savings to state agencies: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None

Other non–discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SBE is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: None

Effect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because they relate only to schools and not to small business practices.

## CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SBE, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

## CONTACT PERSONS

Inquiries concerning the content of this regulation may be directed to:

Veena Nambiar, Education Research and Evaluation  
Consultant  
Evaluation, Research, and Analysis Unit  
California Department of Education  
1430 N Street, Suite 4202  
Sacramento, CA 95814  
Telephone: 916-319-0424  
E-mail: [vnambiar@cde.ca.gov](mailto:vnambiar@cde.ca.gov)

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The SBE has prepared an initial statement of reasons for the proposed regulation and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rr>.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the final statement of reasons, once it has been finalized, by making a written request to the Regulations Coordinator.

#### REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Veena Nambiar, Education Research and Evaluation Consultant, 1430 N Street, Sacramento, CA, 95814; telephone, 916-319-0424. It is

recommended that assistance be requested at least two weeks prior to the hearing.

### TITLE 5. BOARD OF EDUCATION

#### NOTICE OF PROPOSED RULEMAKING

#### AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING SUPPLEMENTAL EDUCATIONAL SERVICES

[Notice published May 21, 2010]

**NOTICE IS HEREBY GIVEN** that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

#### PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SBE, will hold a public hearing beginning at **9:00 a.m. on July 7, 2010**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SBE requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Thacker, Regulations Coordinator  
LEGAL DIVISION  
California Department of Education  
1430 N Street, Room 5319  
Sacramento, California 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov).

Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on July 7, 2010**. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.



## AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

## AUTHORITY AND REFERENCE

Authority: Sections 12001 and 33031, Education Code.

Reference: Sections 33031 and 37200, Education Code; 20 U.S.C. Section 6316, Individuals with Disabilities Education Act, Section 614.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed revisions to the Title 5 Regulations for Supplemental Educational Services (SES) stem from the need to address issues that have emerged in the implementation of the program during the past three years. The current Title 5 Regulations for SES were approved by the State Board of Education (SBE) in January, 2005.

SES, a program required by Title I, Part A, Section 1116(e) of NCLB, is academic tutoring provided by State-approved providers outside the regular school day for eligible students in Title I schools in their second year or beyond of Program Improvement (PI). The purpose of the SES program is to augment PI schools' programs of instruction to help students achieve proficiency on California's state content standards.

The SES program has been growing rapidly in terms of the number of schools in PI, the number of eligible students, and the number of approved SES providers. In addition to the issues that came with the growth of SES, implementing a successful SES program involves the coordination and cooperation of all parties involved: LEAs, approved SES providers, parents, students, and the SEA. The proposed changes in the regulations attempt to address the issues arising from rapid growth and implementation gaps.

The revised regulations will be addressing new issues but will also modify the existing regulations. The areas

addressed include eligibility to provide service, information requirements for provider applications and accountability reports, tutor qualifications, tutor supervision, termination of providers, subcontracting for services, enrollment, conflicts of interest, use of school facilities, and distribution of information by SES providers to parents and students.

## INCORPORATION BY REFERENCE

The SES Accountability Report (posted May 2010) and the SES Request for Application Rubric (posted January 2005) are incorporated by reference. The documents are available for review from the Regulations Coordinator.

## DISCLOSURES REGARDING THE PROPOSED REGULATION

*The SBE has made the following initial determinations:*

Mandate on local agencies or school districts: None

Cost or savings to state agencies: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SBE is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: None

Effect on small businesses: The proposed amendments to the regulations do not affect small businesses because the regulations apply only to school districts and not to business practices.

## CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SBE, would be more

effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

### CONTACT PERSONS

Inquiries concerning the content of this regulation may be directed to:

Stephanie Smith, Consultant  
District and School Improvement Division  
California Department of Education  
1430 N Street, Suite 6208  
Sacramento, CA 95814  
Telephone: 916-319-0948  
E-mail: [ssmith@cde.ca.gov](mailto:ssmith@cde.ca.gov)

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

### INITIAL STATEMENT OF REASONS AND INFORMATION

The SBE has prepared an initial statement of reasons for the proposed regulations and has available all the information upon which the proposal is based.

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Pursuant to the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Unruh Civil Rights Act, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Stephanie Smith, Consultant, District and School Improvement Division, 1430 N Street, Suite 6208, Sacramento, CA, 95814; telephone, 916-319-0948. It is recommended that assistance be requested at least two weeks prior to the hearing.

## TITLE 5. BOARD OF EDUCATION

### NOTICE OF PROPOSED RULEMAKING

#### AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING STANDARDIZED TESTING AND REPORTING PROGRAMS (STAR)

[Notice published May 21, 2010]

**NOTICE IS HEREBY GIVEN** that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

### PUBLIC HEARING

California Department of Education staff, on behalf of the SBE, will hold a public hearing beginning at **9:00 a.m. on July 12, 2010**, at 1430 N Street, Room 1801, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SBE requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Thacker, Regulations Coordinator  
LEGAL DIVISION  
California Department of Education  
1430 N Street, Room 5319  
Sacramento, California 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov).

Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on July 12, 2010**. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SBE may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

#### AUTHORITY AND REFERENCE

Authority: Sections 12001, 33031 and 60605, Education Code.

Reference: Sections 47605, 47605.8, 48645.1, 52050, 52052, 56034, 60605, 60611, 60615, 60630, 60640, 60641, 60642, 60642.5 and 60643, Education Code; 7 C.F.R. Sections 245.2(a-4), 245.3 and 245.6; 34 C.F.R. Sections 99.3, 200.1(d) and (e), 300.160(b); 5 CCR 11967.6; 20 U.S.C. Section 1232g.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

*California Code of Regulations, Title 5*, for the Standardized Testing and Reporting (STAR) Program serves to guide local educational agencies (LEAs) in the administration of the program and the reporting of student demographic data to the State. The CDE proposes amendments to the *California Code of Regulations, Title 5*, for the STAR Program in response to changes in the *California Education Code*, to needs that have arisen

during the administration of the STAR tests, and to clarify and ensure consistency across all components of the STAR Program. The key purposes of the proposed amendments are to:

- Add new definitions for alternate assessments, the California Modified Assessment and the California Alternate Performance Assessment, test materials, test translator, and STAR writing portion of the English-language arts tests and refine definitions for school district and test examiner.
- Remove the designated achievement test language throughout to reflect amendments to Education Code sections 60640 and 60642.
- Remove “designated” from “primary language test” to avoid confusion of the new primary language test, the Standards-based Tests in Spanish, with the primary language test that it replaced, Aprenda 3.
- Update the definition of “school district” to be consistent with Education Code sections 47605(j) and 47605.8 and *California Code of Regulations, Title 5*, Section 11967.6.
- Clarify that any testing completed before a parent exemption request is submitted will be scored and the results reported.
- Add audio, oral, and Manually Coded English or American Sign Language to the acceptable accommodations for the STAR writing portion of the English-language arts tests.
- Provide for the use of highlighting in test booklets as a test variation and allow test directions in the test administration manual to be translated into an English learner’s primary language.
- Incorporate accommodations and variations for the new modified assessment as provided for in the 2007 *A Study of Item format and Delivery Mode from the California Modified Assessment (CMA) Pilot Test* in section 853.5.
- Add two days before and after the original testing window of ten days before and after completion of 85 percent of instruction (to make it twelve days before and twelve days after for a total testing window of 25 days) to give schools more time to administer all the STAR Program assessments (with the addition of the California Modified Assessment and the Standards-based Tests in Spanish).
- Replace scribes with translators as those requiring training to administer STAR Program assessments since scribes do not administer the assessments.
- Clarify language regarding the standards-based achievement tests within the STAR Program and

the review of test materials in the security affidavit and security agreement.

- Clarify language regarding the collection of information for purposes of reporting results for accountability.
- Add a requirement to include the date students with disabilities exit special education services.
- Make section 862.5 (reordered 870) Apportionment to School Districts consistent with section 862 Apportionment Information Report and delete unnecessary language.
- Restore the condition that requires districts to provide the contractor(s) with the first date of testing for the purposes of ordering test materials to ensure timely delivery of materials.

#### DISCLOSURES REGARDING THE PROPOSED REGULATION

*The SBE has made the following initial determinations:*

Mandate on local agencies or school districts: None

Cost or savings to state agencies: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SBE is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: None

Effect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because they relate only to schools and not to small business practices.

#### CONSIDERATION OF ALTERNATIVES

The SBE must determine that no reasonable alternative it considered or that has otherwise been identified

and brought to the attention of the SBE, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The SBE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the content of this regulation may be directed to:

Jamie Contreras, Education Research and Evaluation Consultant

STAR Office

California Department of Education

1430 N Street, Suite 5408

Sacramento, CA 95814

Telephone: 916-319-0353

E-mail: [jcontrer@cde.ca.gov](mailto:jcontrer@cde.ca.gov)

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The SBE has prepared an initial statement of reasons for the proposed regulation and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rr>.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the final statement of reasons, once it has been finalized, by making a written request to the Regulations Coordinator.



REASONABLE ACCOMMODATION FOR ANY  
INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Jamie Contreras, Education Research and Evaluation Consultant, STAR Office, 1430 N Street, Sacramento, CA, 95814; telephone, 916-319-0353. It is recommended that assistance be requested at least two weeks prior to the hearing.

**TITLE 14. BOARD OF FORESTRY  
AND FIRE PROTECTION**

**Board of Forestry and Fire Protection  
Title 14 of the California Code of Regulations**

[Notice Published May 21, 2010]

**NOTICE OF PROPOSED RULEMAKING**

**SRA Classification System, 2010**

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

**Adopt:**

**Division 1.5, Chapter 7 Fire Protection, Article 1.**

**Presently Classified and Recorded Boundaries.  
§ 1220**

**PUBLIC HEARING**

The Board will hold a public hearing starting at 8:00 a.m., on Wednesday, July 7, 2010, at the Resources Building Auditorium, 1<sup>st</sup> Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code Section 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record.

Such information shall be retained by the Board and shall be made available upon request.

**WRITTEN COMMENT PERIOD**

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. **The written comment period ends at 5:00 p.m., on Tuesday, July 5, 2010.** The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection  
Attn: Christopher Zimny  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
Room 1506-14  
1416 9<sup>th</sup> Street  
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

**AUTHORITY AND REFERENCE**

Pursuant to authority vested by section 4125 of the Public Resources Code (PRC), and to implement, interpret, and make specific PRC Sections 4102, 4125, 4126, 4127 and 4128, the Board is adopting such rules and regulations as it determines are reasonably necessary to enable it to classify lands for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is the responsibility of the State.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

The California State Board of Forestry and Fire Protection (Board) is promulgating a regulation to up-

date a procedural publication which is used to classify State Responsibility Areas (SRA). SRA, pursuant to Public Resources Code §4125–4128, are all lands in the state where the financial responsibility of preventing and suppressing wildfire is primarily the responsibility of the State. The procedural publication is titled *State Responsibility Area Classification System, March 8, 2006*. This publication provides instructions for evaluating and documenting periodic changes to the official SRA maps.

### SPECIFIC PURPOSE OF THE REGULATION

The proposed amendments to the *State Responsibility Area Classification System* document relate to the following:

- Update documentation requirements, terminology and index numbering;
- Provide that automatic changes to the SRA map be made by the State SRA Map Coordinator when land is exchanged between the federal government and private owners. Currently these automatic changes are made by the CAL FIRE Unit and Region Mapping Coordinators.
- Guide automatic inclusions or exclusions to the SRA spatial, or Geographic Information Systems (GIS), layer that are the result of inconsistencies due to error fixes and boundary issues. The intent of this amendment is to provide a process for the State SRA Mapping Coordinator to correct inconsistencies in the SRA GIS layer.

The proposed amendment to the existing regulation itself, 14 CCR § 1220, “Presently Classified and Recorded Boundaries”, changes the calendar date of the adopted revision to reflect the date of the updated *SRA Classification System* document which is May 5, 2010.

### DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: The regulation will not result in a fiscal impact to the State.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC Section 17500: None
- Other non–discretionary cost or savings imposed upon local agencies: None

- Cost or savings in federal funding to the State: None
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private person or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: The Board has determined that the proposed amendments will not have an adverse affect on small business. The proposed regulation is related to non–fire season emergency services provided by CDF. These services are primary provided to local government entities and do not affect private small businesses.
- The proposed rules do not conflict with, or duplicate Federal regulations.

### BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

### CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection  
Attn: Christopher Zimny  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244-2460  
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is George Gentry, Executive Officer of the State Board of Forestry and Fire Protection, at the above address and phone (916) 653-8007.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

[http://www.fire.ca.gov/BOF/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html)

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or

- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

### GENERAL PUBLIC INTEREST

#### DEPARTMENT OF FISH AND GAME

#### CALIFORNIA ENDANGERED SPECIES ACT CONSISTENCY DETERMINATION NO. 2080-2010-007-03

**PROJECT:** Markeley Lane Road Extension Project  
**LOCATION:** Union Creek Bypass Channel, Fairfield and an unincorporated portion of Solano County  
**NOTIFIER:** Steve Foreman (LSA Associates, Inc)  
**APPLICANT:** Travis Unified School District

#### BACKGROUND

The Travis Unified School District (District) proposes to construct the Markeley Lane Road Extension Project (Project), which includes the construction of a 1,500-foot long by 36-foot wide paved roadway with bicycle lanes and a 6-foot wide sidewalk within a 60-foot wide access easement. The proposed roadway will extend from the intersection of Markeley Road and Del Ronde Drive east and then end with a cul-de-sac adjacent to an existing school (the Center School). The construction of the roadway will involve minimal grading except at the bridge site and cul-de-sac. The bridge will be a 36-foot wide and 20-foot free span pre-cast concrete structure constructed on Union Creek Bypass Channel. Clean backfill will be placed behind the concrete bridge headwalls and wing walls. The eastern end of the cul-de-sac will be excavated approximately eight feet into the hillside. A stormwater detention basin will be constructed approximately 150 feet to the north of the bridge, and will discharge into Union Creek Bypass Channel. Stormwater will be conveyed to the detention basin via an earthen roadside ditch. The detention basin will have a maximum excavation and fill of approximately four feet, and will have a maximum holding time for water of 24 to 36 hours.

The Project is part of the restructuring of three elementary schools located on Travis Air Force Base

(Base). The schools currently serve military families living both on- and off-Base. Families living off-base must pass through security checks to enter school grounds. Center School is currently located on state-owned land but is within Base boundaries. This school is proposed to be relocated, outside of the Base perimeter, and serve primarily families living off-base. The existing perimeter fencing will be relocated to include only Base property.

The habitat types surrounding the Project area include seasonal wetlands and vernal pools. A known breeding site for California tiger salamander (*Ambystoma californiense*) (hereafter CTS) is located approximately 350 to 500 feet north northeast of the Project area in an artificially created pond located along the west side of a raised railroad track berm. Another known CTS breeding site is located approximately 1,000 feet northwest of the Project area. The Project area also supports suitable upland habitat for CTS. The Project will result in the permanent loss of 2.77 acres of CTS upland habitat as a result of filling-in and paving.

CTS is listed as a threatened species under the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 *et seq.*). CTS is also designated as a protected candidate species under the California Endangered Species Act (CESA)(Fish & G. Code, § 2050 *et seq.*). (See Cal. Reg. Notice Register 2009, No. 8-Z, p. 284; see also Fish & G. Code, §§ 2068, 2080, 2085.) In addition, on March 3, 2010, the California Fish and Game Commission, the constitutionally established entity with exclusive statutory authority to designate species as protected under CESA, determined that listing CTS as a threatened species under state law is warranted. (Cal. Const., art. IV, § 20, subd. (b); Fish & G. Code, §§ 2070, 2075.5(2).) Consistent with the Commission's determination, CTS will be added to the list of species designated as threatened under CESA following the completion of related formal rulemaking by the Commission under the Administrative Procedure Act (Gov. Code, § 11340 *et seq.*). (See also Fish & G. Code, 2075.5(2); Cal. Code Regs., tit. 14, 670.1, subd. (j), 670.5, subd. (b).) In the interim, CTS will remain a candidate species protected under CESA. (Fish & G. Code, 2085; Cal. Reg. Notice Register 2009, No. 8-Z, p. 284.)

The U.S. Fish and Wildlife Service (Service) has determined it is likely that CTS may disperse through or temporarily inhabit the Project area based on the biology and ecology of the species, the proximity of the Project area to a known breeding pond, and the presence of suitable upland habitat within the Project area. Based on this and other information, the Service concluded that the Project will likely result in adverse effects to CTS, including incidental take of the species, as a result of the Project.

Because the Project has the potential to take a species listed under the federal ESA, the U.S. Army Corps of Engineers (ACOE) consulted with the Service as required by the ESA. On March 30, 2010, the Service issued a Biological Opinion (Ref. No. 81420-2010-F-0197-1) (BO) to the ACOE. The BO describes the Project actions, including conservation measures developed to minimize impacts to CTS, requires the District to comply with terms of the BO and its incidental take statement, and incorporates additional measures.

Because CTS is also designated as a protected candidate species pursuant to CESA, on April 1, 2010, Steve Foreman (LSA Associates, Inc), on behalf of the District, notified the Director of the Department of Fish and Game (DFG) requesting a determination pursuant to section 2080.1 of the Fish and Game Code that the BO and its incidental take statement (ITS) are consistent with CESA for purposes of the Project.

## DETERMINATION

DFG has determined that the BO, including its ITS, is consistent with CESA because the mitigation measures therein meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically, DFG finds that the take of CTS will be incidental to an otherwise lawful activity (i.e., construction of a roadway, bridge and sediment detention basin, and installation of an earthen ditch); the mitigation measures identified in the BO and ITS will minimize and fully mitigate the impacts of the authorized take; and the Project will not jeopardize the continued existence of the species. The mitigation measures in the BO and ITS include, but are not limited to, the following:

### Conservation and Minimization Measures

- The District will purchase mitigation credits for 8.31 acres of CTS upland habitat to compensate for the permanent loss of 2.77 acres of upland habitat. On April 12, 2010, DFG received the Agreement for Sale of Mitigation Credits entered March 24, 2010 between Wetland Resources, LLC and the District for 8.31 acres. The purchase of credits was made from the Elsie Gridley Mitigation Bank which is both a Service- and DFG-approved bank. A copy of the agreement is attached, and includes the Description of Project to be Mitigated (Exhibit "A"), Bill of Sale (Exhibit "B") and Payment Receipt (Exhibit "C").
- The work limits of the Project will be clearly delineated with highly visible fencing to prevent construction personnel and equipment from entering adjacent CTS habitat as well as other



sensitive habitats. CTS Exclusionary fencing will be attached to the outside of the construction fencing and will consist of a tightly woven fiber netting or silt fencing. Exclusionary fencing will be buried six inches below grade or sealed in a similar manner. All construction activity, including personnel, equipment and materials storage, will be confined to the designated Project area and accessed from the southern edge of the Project limits. All fencing will be inspected and maintained daily for the duration of Project activities.

- To avoid creating barriers to CTS movement, all curbs associated with new roads and sidewalks will be rolled rather than squared.
- A Service-approved biologist will be onsite during all Project-related activities with the potential to take listed species. The qualification of the biologist will be presented to the Service for review and written approval at least 10 working days prior to the start of construction.
- Any CTS encountered during the Project will be relocated into appropriate protected areas away from construction activities by a Service-approved biologist.
- All burrows that may provide suitable habitat for CTS within the Project area will be excavated prior to the start of construction. Any CTS located within a burrow will be moved to secure and suitable habitat nearby by a Service-approved biologist.
- Any burrows that may be located adjacent to the Project area that may be damaged or collapsed by Project-related activities will have a PVC pipe of an appropriate diameter inserted into the burrow entrance to avoid trapping CTS inside.
- The Service-approved biologist will oversee the implementation of all conservation and minimization measures outlined in the BO, and will have the authority to stop Project activities if any requirements of the BO are not being met.
- Prior to the start of construction, all construction personnel will receive Environmental Awareness Training that will focus on the conservation measures in the BO, reporting requirements, and the general ecology of CTS. Photographs of CTS and its habitat will be provided to all construction personnel. After receiving this training, construction personnel will sign affidavits signifying that they understand their responsibilities pertaining to CTS, and submit copies of the signed affidavits to the Service.

#### Reporting Requirements

- The Service and DFG will be notified within one working day of finding any injured or dead CTS. Injured CTS will be cared for by a licensed veterinarian or other qualified person. Notification must include the date, time, and location of the incident or of the finding of the dead or injured individual clearly indicated on a USGS 7.5 minute quadrangle or other maps at a finer scale.

Pursuant to Fish and Game Code section 2080.1, incidental take authorization under CESA will not be required for incidental take of CTS for the Project, provided the District implements the Project as described in the BO (including the Conservation and Minimization Measures), and complies with the mitigation measures and other conditions described in the BO and ITS. If there are any substantive changes to the Project, including changes to the mitigation measures, or if the Service amends or replaces the BO and ITS, the District will be required to either obtain a new consistency determination or a CESA incidental take permit from DFG. (See generally Fish & G. Code, §§ 2080.1, 2081.)

### DEPARTMENT OF FISH AND GAME

#### CALIFORNIA DEPARTMENT OF FISH AND GAME CONSISTENCY DETERMINATION Fish and Game Code Section 2080.1 Tracking Number 2080-2010-009-02

**PROJECT:** Palermo-Colgate-Rio Oso  
Transmission Line Reconductoring  
Project

**LOCATION:** Butte, Yuba and Sutter Counties

**NOTIFIER:** Pacific Gas and Electric Company  
(PG&E)

#### BACKGROUND

Pacific Gas and Electric Company (PG&E) is upgrading 55 miles of existing 230 KV transmission facilities. The Palermo-Colgate-Rio Oso Transmission Line Reconductoring Project (proposed Project) includes the Palermo-Rio Oso Line and the Colgate Loop facilities. The Palermo-Rio Oso Line is made up of 38 miles of 1.113 aluminum conductor supported by 245 steel lattice towers, and stretches from the Palermo Junction in Butte County to the Rio Oso Substation in Sutter County. The Colgate Loop is made up of 16 miles of line supported by 72 steel lattice towers, and stretches from the Colgate Powerhouse on the Yuba

River to the Palermo–Rio Oso Line in Yuba County. The project involves raising 81 towers, installing up to 62 temporary wooden poles as guard structures, installing travelers and insulators on all towers, and installing and tensioning the new transmission lines.

PG&E will use helicopters to erect 79 of the towers and to deliver travelers, insulators, crews and equipment to sensitive areas, and for some of the tensioning work. Ground–disturbing activities include access to all towers and worksites needing on site equipment; one new temporary access road (777 feet long and 12 feet wide), installation of guard structures (including use of auger on a line truck), use of two cranes and ground crews on two of the sites, lay–down areas, helicopter landing areas, and pull sites.

Three of the proposed work activities have the potential to affect giant garter snake (*Thamnophis gigas*) (GGS) where activities would take place within 200 feet of suitable permanent water habitat. These work activities include installing guard structures, accessing towers and worksites, and using work sites for pulling conductor. GGS is listed as a threatened species under the federal Endangered Species Act (ESA) (16 U.S.C., § 1531, *et seq.*) and a threatened species under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050, *et seq.*). The presence of GGS has been documented about four miles from the southern portion of the Project area and there is suitable habitat within and adjacent to the Project area, including drainages, canals and rice cropland.

Construction of the Project will result in the temporary loss of 0.306 acre of potential aquatic habitat, 4.660 acres of rice, and 8.973 acres of upland habitat, totaling 13.939 acres of habitat for the GGS, over one season between May 1 and October 1. At one site, work will be initiated on April 15, 2010 prior to the May 1 active season. In addition, the project will result in temporary impacts to 3.394 acres of suitable upland habitat over two seasons. Because of the proximity of the nearest documented GGS, dispersal patterns of GGS, and the presence of suitable GGS habitat within the Project area, the U.S. Fish and Wildlife Service (Service) determined GGS is reasonably certain to occur within the Project area and could be incidentally taken as a result of Project activities.

Because of the Project's potential for take of the federally threatened GGS, U.S. Army Corps of Engineers consulted with the Service, as required by ESA. On March 31, 2009, the Service issued a letter (Service file No. 81420–2008–F–1799–1) to the Corps (hereafter, the Append Letter) appending the proposed Project to its earlier *Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacra-*

*mento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California (Service file No 1–1–F–97–149)* (Programmatic BO). The Append Letter describes Project actions and requires PG&E to comply with terms of the Programmatic BO and its incidental take statement and incorporates additional measures, including the requirement that PG&E implement and adhere to all measures described in the March 2009 Biological Assessment for the PG&E Palermo–Colgate–Rio Oso 230 kV Transmission Line Project (BA).

Because GGS is also listed as a threatened species pursuant to CESA, on April 9, 2009, Garcia and Associates, Inc, on behalf of PG&E, notified the Director of the Department of Fish and Game (DFG) that PG&E was requesting a determination, pursuant to Fish and Game Code section 2080.1, that the Append Letter, now a part of the Programmatic BO and its related incidental take statement (ITS) is consistent with CESA for purposes of the Project. On May 7, 2009, DFG determined that the Programmatic BO, including the ITS and Append letter was consistent with CESA (Ref. #2080–2009–002–02).

On September 16, 2009 the Service issued an amendment (Service file #81420–2008–F01799–1) via email authorizing changes to the Project description to reflect PG&E's request to carry out reconductoring work past the October 1 work window, until November 11, 2009. On September 21, 2009, Garcia and Associates, Inc, on behalf of PG&E, notified the Director of DFG that PG&E was requesting a determination that the Programmatic BO, including the ITS and Append Letter as amended by the September 16, 2009 email is consistent with CESA for purposes of the proposed Project. On October 1, 2009, DFG determined that the Programmatic BO, including the ITS, Append Letter and September 16, 2009 amendment was consistent with CESA (Ref #2080–2009–014–02).

On March 31, 2010 the Service issued a second amendment (Service file #2008–F–1799–R002) authorizing changes to the Project description to reflect PG&E's request to carry out reconductoring work on April 15, 2010, prior to the May 1, 2010 beginning of the work window. On April 5, 2010, Garcia and Associates, Inc., on behalf of PG&E, notified the Director of DFG that PG&E was requesting a determination that the Programmatic BO, including the ITS and Append letter as amended by the September 16, 2009 email and the March 31, 2010 amendment is consistent with CESA for purposes of the proposed Project.

#### DETERMINATION

DFG has determined that the Programmatic BO, including the ITS and Append letter, as amended on September 16, 2009 and on March 31, 2010, is consistent

with CESA as to the proposed Project because the mitigation measures contained in those documents meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing the incidental take of CESA-listed species. This determination supersedes and replaces the prior determination (Ref. #2080-2009-014-02) issued on October 1, 2009. Specifically, DFG finds that take of GGS will be incidental to an otherwise lawful activity, the mitigation measures identified in the above documents will minimize and fully mitigate the impacts of the authorized take, and construction of the Project will not jeopardize the continued existence of GGS. The mitigation measures in the Programmatic BO, Append Letter, ITS, and BA as amended on September 16, 2009 and March 31, 2010 include, but are not limited to, the following:

Take Avoidance Measures

- PG&E shall limit site disturbance for construction and access and implement specific protections for sensitive areas containing potentially suitable habitat for GGS. Measures limiting site disturbance include installing protective fencing for sites immediately adjacent to construction activities and using flagging to identify avoidance areas along access roads.
- PG&E shall develop and implement a spill control and response plan for potentially hazardous materials, including fuels, solvents and grease.
- PG&E shall train construction crews on GGS issues and protocols for addressing GGS found within the construction sites during construction.
- PG&E shall provide a qualified biological monitor during the construction activities.

Minimization and Monitoring Measures

- PG&E shall provide mitigation for temporary impacts in accordance with the requirements in the Programmatic BO for Level 1 mitigation by restoring 13.939 acres of habitat for GGS to pre-Project conditions within the same season, or at least within the same calendar year.
- PG&E shall provide mitigation for temporary impacts in accordance with the requirements in the Programmatic BO for Level 2 mitigation by purchasing 3.394 acres of upland habitat credits at the Gilsizer Slough South Giant Garter Snake Conservation Bank in Sutter County.
- PG&E shall only conduct construction during the GGS active season (May 1–October 1) with the exception of the landing zone at Tower C16/73 where construction will occur through November 11, 2009 and again commence on April 15 2010, under the conditions described below.

- Vehicular access to the Tower C15/73 site will follow the existing route from Old Loma Rica Road.
- Prior to October 1, PG&E will set up exclusionary fencing at Tower 16/73 in order to discourage GGS use of the site. The fencing will be at least 18 inches high and be able to block snakes from moving into the project site. The fence will be securely fastened to posts keeping the fence erect and the bottom of the fence will be buried in the ground. The fence will be checked and maintained daily to ensure that it is working properly and that snakes cannot move into the project site.
- Construction activities will continue at the site on a routine basis until the line installation is complete. After that time, PG&E shall remove the exclusionary fencing and stabilize the site for winter.
- A construction monitor shall inspect the site daily prior to the onset of construction activities for the presence of GGS. A monitor shall remain on site during all construction activities.
- If GGS are encountered during construction or during preconstruction surveys, activities shall cease until appropriate corrective measures have been completed or it has been determined that GGS will not be harmed. PG&E will immediately report any sightings and any incidental take will be immediately reported by PG&E to DFG by telephone at (916) 358–2900 and to the USFWS by telephone at (916) 414–6600.
- Following construction, PG&E shall return each site to pre-Project conditions, remove all construction debris (including protective fencing, barriers, flagging, and construction mats), and reseed each site with an approved erosion control seed mix, as needed. Following construction return GGS habitat to pre-Project conditions as prescribed in a Service- and DFG-approved Stormwater Pollution Prevention plan (SWPPP).

Financial Assurances

- PG&E has provided a bill of sale for the purchase of 3.394 acres of upland habitat credits at the Gilsizer Slough South Giant Garter Snake Habitat Conservation Area in Sutter County.



- PG&E shall provide, subject to review and approval by DFG, a cost estimate associated with the SWPPP for implementation of the restoration measures that will return areas of GGS habitat to pre-Project conditions.
- Upon approval of the cost estimate, and prior to the initiation of Project activities, PG&E shall provide a financial commitment (i.e. Letter of credit, letter of security) in a form approved by DFG, to DFG to ensure performance of these measures.

#### Notification and Reporting

- Post construction monitoring reports shall be provided to DFG and the Service for restoration of GGS habitat as specified for Level 1 impacts, as described in and required by the Programmatic BO. The reports shall include photo documentation of all GGS habitat pre- and post-construction.
- The SWPPP requires temporary and permanent stabilization best management practices (BMPs) after active construction is completed. Inspection activities shall continue until adequate permanent stabilization has been established and shall continue in areas where revegetation is chosen until minimum vegetative coverage has been established. Although not a condition of the BO and the Programmatic BO, DFG requests a copy of the inspection report. The report shall include dates construction occurred and the success of revegetation and restoration.

Pursuant to Fish and Game Code section 2080.1, incidental take authorization under CESA will not be required for incidental take of GGS for the Project, provided PG&E implements the Project as described in the append letter, the September 16, 2009 email and the March 31, 2010 amendment and complies with the mitigation measures and other conditions described in the Programmatic BO and ITS. If there are any substantive changes to the Project, including changes to the mitigation measures, or if the Service amends or replaces the append letter or the Programmatic BO, PG&E will be required to obtain a new consistency determination or a CESA incidental take permit from DFG. This determination replaces DFG's prior determination (Ref. #2080-2009-014-02) issued on October 1, 2010, and is limited to consistency of the Programmatic BO as applied specifically to the Project, and does not cover other activities that might be appended to the Programmatic BO in the future. Separate determination(s) or take authorization(s) must be obtained for future activities that may result in take of CESA-listed species.

## DEPARTMENT OF FISH AND GAME

Department of Fish and Game — Public  
Interest Notice

For Publication May 21, 2010

### PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

Population Dynamics Research of Lost River and  
Shortnose Suckers in Clear Lake Reservoir

The Department of Fish and Game (Department) received a research proposal from Mark Johnson of U.S. Geological Survey requesting authorization to conduct fishery surveys that involve the use of internal and external radio transmitters, in addition to the previously approved capturing, handling, and PIT tagging of Lost River sucker (*Deltistes luxatus*) and shortnose sucker (*Chasmistes brevirostris*), both Fully Protected Fishes, for research purposes, consistent with the protection and recovery of the species.

The applicant is required to have a Scientific Collecting Permit (SCP) to take protected species of fish. Permit conditions also require that the holder of a SCP obtain special authorization from the Department for research on Fully Protected Species. The applicant has the required Scientific Collecting Permit (SC-007663), a valid USFWS Federal Section 10 Permit (Permit Number: TE-007907-11), has an amendment to their Section 10 Permit TE-007907-11 in process to increase the number of Lost River and shortnose suckers that may be implanted with internal or attached with external radio transmitters, and has applied to amend the current Memorandum of Understanding (MOU) with the Department to permit him to implant internal or attach external radio transmitters on 100 each of Lost River suckers and shortnose suckers, both Fully Protected Species.

The proposed research has been contracted by the U.S. Bureau of Reclamation in support of the ongoing study for the recovery of the endangered Lost River and shortnose suckers (suckers) in the Klamath Basin. The applicant proposes to utilize three boat crews consisting of two personnel to set twelve total trammel nets for the adult sucker sampling. The sampling will take place four days per week from September 20–October 20, 2010. The adult suckers captured in trammel nets will be scanned for the presence of Passive Integrated Transponder (PIT) tags and if a tag is not present one will be inserted subcutaneously anterior to the pelvic girdle. To evaluate the behavior and movements of adult suckers during the spring spawning migrations as well as in response to changing lake levels throughout the irrigation season, the applicant proposes to surgically implant radio transmitters in up to 85 adult suckers and attach external radio transmitters in up to 15 adult suckers of



each species. The suckers will also be measured (fork length) to the nearest millimeter, checked for the presence of parasites, and any other afflictions, and then released. A maximum of 4,800 suckers can be handled to collect information on length frequency, sex ratio, relative abundance and distribution of suckers in Clear Lake Reservoir, Modoc County.

Pursuant to California Fish and Game Code (FGC) Section 5515(a)(1), the Department may authorize take of Fully Protected Fish after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5515 for take of Fully Protected Fish, it would issue the authorization on or after June 20, 2010 for an initial term of five years. The validity of the MOU is contingent upon successful renewal of the applicant's federal permits.

Contact: Fisheries Branch, Nongame Native Fish Program, 830 S Street, Sacramento, CA 95811, Attn.: Glenn Yoshioka.

## MANAGED RISK MEDICAL INSURANCE BOARD

### NOTICE OF CORRECTION TO:

#### NOTICE OF PROPOSED RULEMAKING ER-05-09 ORIGINALLY DATED MAY 7, 2010

#### TITLE 10. CALIFORNIA CODE OF REGULATIONS CHAPTER 5.6 ACCESS FOR INFANTS AND MOTHERS PROGRAM

#### AMEND SECTION 2699.202

#### NATURE OF PROCEEDING

NOTICE IS HEREBY GIVEN that the Managed Risk Medical Insurance Board (MRMIB) did not mail the Notice of Proposed Rulemaking dated May 7, 2010. However, this Notice was published on page 672 of the Notice Register, #19-Z, dated May 7, 2010.

Because of the change in the mailing date from May 7, 2010 to May 21, 2010, the public hearing regarding this proposal has been rescheduled from Monday, June 21, 2010 to Thursday, July 8, 2010, at 1:30 p.m., at 1000 G Street, Suite 450, Sacramento, CA 95814.

Following the public hearing MRMIB may thereafter adopt the proposal substantially as described below or may modify the proposal if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any

modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the:

Managed Risk Medical Insurance Board  
Attn: Dianne Knox  
1000 G Street, Suite 450  
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at (916) 445-0898 or by e-mail to [dknox@mrrib.ca.gov](mailto:dknox@mrrib.ca.gov). In the May 7, 2010, Notice, comments were due no later than 5 p.m. on June 21, 2010; however, the date for comments to be received has been extended to no later than 5:00 p.m. on Thursday, July 8, 2010.

There are no other changes to this Notice.

## PROPOSITION 65

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT  
SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE STATE  
TO CAUSE CANCER OR  
REPRODUCTIVE TOXICITY  
MAY 21, 2010

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikeout were placed on the list with the date noted, and have subsequently been removed.

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
Allyl chloride <u>Delisted October 29, 1999</u>	107-05-1	January 1, 1990
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Amsacrine	51264-14-3	August 7, 2009
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Benzofuran	271-89-6	October 1, 1990
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromochloroacetic acid	5589-96-8	April 6, 2010
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbaryl	63-25-2	February 5, 2010
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990

**CALIFORNIA REGULATORY NOTICE REGISTER 2010, VOLUME NO. 21-Z**


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<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	13010-47-4	January 1, 1988
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
p-Chloro-o-toluidine	95-69-2	January 1, 1990
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988
para-Cresidine	120-71-8	January 1, 1988
Cumene	98-82-8	April 6, 2010
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988



<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
p-Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloropropene	542-75-6	January 1, 1989
Diclofop-methyl	51338-27-3	April 6, 2010
Dieldrin	60-57-1	July 1, 1988
Dienestrol	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3' -Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3' -Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3' -Dimethoxybenzidine-based dyes metabolized to 3,3' -dimethoxybenzidine	—	June 11, 2004
3,3' -Dimethylbenzidine-based dyes metabolized to 3,3' -dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Epichlorohydrin	106-89-8	October 1, 1987
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine	151-56-4	January 1, 1988
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB <sub>1</sub>	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Furmecycloz	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methyldipyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
Marijuana smoke	—	June 19, 2009
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyrin	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
Methyl iodide	74-88-4	April 1, 1988
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N' -nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Monocrotaline	315-22-0	April 1, 1988
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989



<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrilotriacetic acid	139-13-9	January 1, 1988
Nitrilotriacetic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro-o-anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
o-Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
o-Phenylphenate, sodium	132-27-4	January 1, 1990
o-Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono-t-butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Saccharin <u>Delisted April 6, 2001</u>	81-07-2	October 1, 1989
Saccharin, sodium <u>Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
para-Toluidine <u>Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Toxins derived from <i>Fusarium moniliforme</i> ( <i>Fusarium verticillioides</i> )	—	August 7, 2009
Treosulfan	299-75-2	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridiny)-para-benzoquinone (Triaziquone) <u>Delisted December 8, 2006</u>	68-76-8	October 1, 1989
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52-24-4	January 1, 1988

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
Wood dust	—	December 18, 2009
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zalcitabine	7481-89-2	August 7, 2009
Zidovudine (AZT)	30516-87-1	December 18, 2009
Zileuton	111406-87-2	December 22, 2000
Zineb <u>Delisted October 29, 1999</u>	12122-67-7	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminogluthethimide	developmental	125-84-8	July 1, 1990
tert-Amyl methyl ether	developmental	994-05-8	December 18, 2009
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
n-Butyl glycidyl ether	male	2426-08-6	August 7, 2009
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbaryl	developmental, male	63-25-2	August 7, 2009
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chloroform	developmental	67-66-3	August 7, 2009
2-Chloropropionic acid	male	598-78-7	August 7, 2009
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989Cyclo-
phosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichloroacetic acid	male	79-43-6	August 7, 2009
1,1-Dichloro-2,2-bis(p-chlorophenyl) ethylene (DDE)	developmental, male	72-55-9	March 30, 2010
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Diglycidyl ether	male	2238-07-5	August 7, 2009
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
<u>N,N-Dimethylacetamide</u>	<u>developmental</u>	<u>127-19-5</u>	<u>May 21, 2010</u>
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl-tert-butyl ether	male	637-92-3	December 18, 2009
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
	developmental, male		August 7, 2009
Ethylene thiourea	developmental	96-45-7	January 1, 1993
2-Ethylhexanoic acid	developmental	149-57-5	August 7, 2009
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolid	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
	male		August 7, 2009
Methyl n-butyl ketone	male	591-78-6	August 7, 2009
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Molinate	developmental, female, male	2212-67-1	December 11, 2009
Myclobutanil	developmental, male	88671-89-0	April 16, 1999



<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrobenzene	male	98-95-3	March 30, 2010
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
p,p'-Oxybis(benzenesulfonyl hydrazide)	developmental	80-51-3	August 7, 2009
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Phenyl glycidyl ether	male	122-60-1	August 7, 2009
Phenylphosphine	developmental	638-21-1	August 7, 2009
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental male	36791-04-5 36791-04-5	April 1, 1990 February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30, 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental female	108-88-3	January 1, 1991 August 7, 2009
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
1,3,5-Triglycidyl-s-triazinetriene	male	2451-62-9	August 7, 2009
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 199
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
4-Vinylcyclohexene	female, male	100-40-03	August 7, 2009
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: May 21, 2010

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986**

**(Proposition 65)**

**NOTICE TO INTERESTED PARTIES  
May 21, 2010**

**CHEMICAL LISTED EFFECTIVE May 21, 2010  
AS KNOWN TO THE STATE OF CALIFORNIA  
TO CAUSE REPRODUCTIVE TOXICITY**

The Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is adding *N,N*-Dimethylacetamide (CAS No. 127-19-5) to the list of chemicals known to the state to cause reproductive toxicity for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>). The listing of *N,N*-dimethylacetamide is effective **May 21, 2010**.

Health and Safety Code section 75249.8(a) requires that Substances identified in Labor Code section

6382(d) as causing reproductive toxicity be included on the Proposition 65 list. Labor Code section 6382(d) references chemicals within the scope of the federal Hazard Communication Standard that are identified as reproductive toxicants (Title 29, Code of Federal Regulations (CFR), section 1910.1200, Toxic and Hazardous Substances, Occupational Safety and Health Administration). Chemicals are listed under Proposition 65 if they are identified as causing developmental or reproductive toxicity in the latest edition of the American Conference of Governmental Industrial Hygienists (ACGIH) "Threshold Limit Values". (Title 29, CFR, section 910.1200(d)(3)).

The basis for the listing of *N,N*-dimethylacetamide (CAS No. 127-19-5) was described in a public notice published in the June 12, 2009 issue of the *California Regulatory Notice Register* (Register 2009, No. 24-Z). The title of the notice was "Request For Comments on Chemicals Proposed For Listing By the Labor Code Mechanism (reproductive and developmental toxicants)". The publication of the notice initiated a 30-day public comment period that closed on July 13, 2009.

OEHHA analysis of dose-response data to establish the maximum allowable dose level (MADL) for *N,N*-dimethylacetamide under Proposition 65 has not yet been conducted. The priority status for the development of such analysis will be announced in a future OEHHA *Proposition 65 Status Report for Safe Harbor Levels*, available at

<http://www.oehha.ca.gov/prop65.html>.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register*.

<sup>1</sup> Health and Safety Code, section 25249.5 et seq.

*Reproductive toxicity:*

Chemical	CASNo.	Toxicological Endpoint	Listing Mechanism <sup>2</sup>
N,N-Dimethylacetamide	127-19-5	developmental	LC

<sup>2</sup> Listing Mechanism: LC — Labor Code mechanism (Labor Code sections 6382(b)(1) and (d)).

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY**

**OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT**

**AIR TOXICS HOT SPOTS PROGRAM**

**NOTICE TO INTERESTED PARTIES**

**PUBLIC COMMENT PERIOD**

**ON**

**PROPOSED REFERENCE EXPOSURE  
LEVELS FOR CAPROLACTAM**

**May 21, 2010**

The Office of Environmental Health Hazard Assessment (OEHHA) is releasing draft documents describing proposed Reference Exposure Levels (RELs) for caprolactam to solicit public comment. OEHHA is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code section 44160 (b)(2)). OEHHA has developed Technical Support Documents (TSDs) in response to this statutory requirement, including one which described acute, 8 hour, and chronic RELs, which was adopted in December 2008. These guidelines have already been used to develop updated RELs for several chemicals, and OEHHA is now presenting draft RELs for caprolactam.

We are seeking comments on the proposed RELs for caprolactam, and the application of the revised methodology to protect infants and children and other sensitive subpopulations. The proposed acute, 8 hour, and chronic RELs for caprolactam are 50, 2, and 0.8 µg/m<sup>3</sup>, respectively. Following this public comment period, the RELs for caprolactam and any comments received, along with OEHHA's response to these comments, will undergo review by the State's Scientific Review Panel on Toxic Air Contaminants (Health and Safety Code section 39670 et seq.).

The draft document is available on the OEHHA Home Page at <http://www.oehha.ca.gov>. This notice be-

gins a 45-day public review period that will end on **July 6, 2010**.

Public workshops will be held during this period: time and location will be announced soon on the OEHHA website. Please direct your comments on the document, and any inquiries concerning technical matters or availability of the documents in writing or by e-mail to:

Dr. Robert Blaisdell  
Chief, Exposure Modeling Section  
Office of Environmental Health Hazard Assessment  
1515 Clay St., 16<sup>th</sup> Floor  
Oakland, CA 94612  
E-mail: [bblaisde@oehha.ca.gov](mailto:bblaisde@oehha.ca.gov)  
Telephone: (510) 622-3142

In order to be considered at this point in the process, all comments must be received by close of business on July 6, 2010.

Information about upcoming dates and agenda for meetings of the Scientific Review Panel can be obtained from the ARB web page at <http://www.arb.ca.gov/srp/srp.htm>.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986  
(PROPOSITION 65)**

**REQUEST FOR RELEVANT INFORMATION  
ON A CHEMICAL BEING CONSIDERED  
FOR LISTING BY THE AUTHORITATIVE  
BODIES MECHANISM:  
S,S,S-TRIBUTYL PHOSPHOROTRITHIOATE  
(TRIBUFOS, DEF)**

**May 21, 2010**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment



(OEHHA) is requesting information as to whether S,S,S-tributyl phosphorotrithioate meets the criteria for listing under the Safe Drinking Water and Toxic En-

forcement Act of 1986.<sup>1</sup> This action is being proposed under the authoritative bodies listing mechanism.<sup>2</sup>

Chemical	CAS No.	Endpoint	Reference	Chemical Use
<i>S,S,S-Tributyl phosphorotrithioate (Tribufos, DEF)</i>	78-48-8	Cancer	U.S. EPA (1997)	Organophosphate insecticide used on cotton, with minor use reported on dried beans

**Background on listing via the authoritative bodies mechanism:** A chemical must be listed under the Proposition 65 regulations when two conditions are met:

- 1) An authoritative body formally identifies the chemical as causing cancer (Section 25306(d)<sup>3</sup>).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(e)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(f)).

The U.S. Environmental Protection Agency (U.S. EPA) is one of several institutions designated as authoritative for the identification of chemicals as causing cancer (Section 25306(m)).

OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

**OEHHA's determination:** *S,S,S-Tributyl phosphorotrithioate* appears to meet the criteria for listing as known to the State to cause cancer under Proposition 65, based on findings of the U.S. EPA (U.S. EPA, 1997).

**Formal identification and sufficiency of evidence for S,S,S-tributyl phosphorotrithioate:** In 1997, the U.S. EPA published a report on S,S,S-tributyl phosphorotrithioate entitled *Memorandum: Carcinogenicity Peer Review (2<sup>nd</sup>) of Tribufos (DEF<sup>TM</sup>)*. This report concludes that the chemical causes cancer, which appears to satisfy the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the U.S. EPA's discussion of data and conclusions in the report that S,S,S-tributyl phosphorotrithioate causes cancer. The section of the 1997 U.S. EPA report entitled "Classification of Carcinogenic Potential" found that "[t]ribufos should be

characterized as 'likely' at high doses, based on increases in tumors in both sexes of the CD-1 mouse; the liver of male mice, in the lung of female mice, and in the small intestine (rare tumors) in both sexes of mice." The liver tumors in male mice were hemangiosarcomas, the lung tumors in female mice were alveolar/bronchiolar adenomas, and the tumors in the small intestine in male and female mice were adenocarcinomas.

Thus, the U.S. EPA (1997) has found that S,S,S-tributyl phosphorotrithioate causes increased incidences of malignant liver tumors in male mice and rare malignant tumors of the small intestine in male and female mice.

OEHHA issued a request for relevant information on this chemical in November 2000. In 2004, following review of public comments received, OEHHA withdrew the chemical from consideration for listing at that time. In light of the recent Court of Appeal decision in *Exxon Mobil Corporation v Office of Environmental Health Hazard Assessment et al.* (2009) 169 Cal. App. 4<sup>th</sup> 1264, OEHHA has determined that it will not consider dose-response issues for this chemical during the listing phase of the process. Such issues will be addressed as necessary following a listing decision. Therefore, OEHHA is reissuing a request for relevant information for this chemical.

**Request for relevant information:** OEHHA is committed to public participation in its implementation of Proposition 65. OEHHA wants to ensure that its regulatory decisions are based on a thorough consideration of all relevant information. OEHHA is requesting public comment concerning whether S,S,S-tributyl phosphorotrithioate meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings.

After reviewing all comments received, OEHHA will determine whether S,S,S-tributyl phosphorotrithioate meets the regulatory criteria for administrative listing. If it is determined to meet the listing criteria, OEHHA will proceed with the listing process and publish a Notice of Intent to List.

In order to be considered, **OEHHA must receive comments by 5:00 p.m. on Tuesday, July 20, 2010.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to [coshita@oehha.ca](mailto:coshita@oehha.ca).

<sup>1</sup> Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

<sup>2</sup> See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

<sup>3</sup> All referenced sections are from Title 27 of the Cal. Code of Regulations.

gov. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address: Ms. Cynthia Oshita  
Office of Environmental Health  
Hazard Assessment  
P.O. Box 4010, MS-19B  
Sacramento, California  
95812-4010

Fax: (916) 323-8803

Street Address: 1001 I Street  
Sacramento, California 95814

**Optional public forum:** Upon request, OEHHA will schedule a public forum to provide individuals an opportunity to present oral comments on the possible listing of S,S,S-tributyl phosphorotrithioate. At the forum, the public may discuss the scientific data and other relevant information related to whether this chemical meets the criteria for listing in the regulations.

Requests for a public forum must be submitted in writing no later than Friday, June 18, 2010. The written request must be sent to OEHHA at the mailing address above. If a public forum is requested, a notice will be posted on the OEHHA web site at least ten days before the forum date. The notice will provide the date, time, location and subject matter to be heard. Notices will also be sent to those individuals requesting such notification.

If you have any questions, please contact Ms. Oshita at [coshita@oehha.ca.gov](mailto:coshita@oehha.ca.gov) or at (916) 445-6900.

#### References

U.S. Environmental Protection Agency (U.S. EPA, 1997). Memorandum: Carcinogenicity Peer Review (2<sup>nd</sup>) of Tribufos (DEF<sup>TM</sup>). Office of Prevention, Pesticides and Toxic Substances. May 22, 1997.

### OAL REGULATORY DETERMINATION

#### OFFICE OF ADMINISTRATIVE LAW

#### DETERMINATION OF ALLEGED UNDERGROUND REGULATION (Summary Disposition)

(Pursuant to Government Code  
Section 11340.5 and  
Title 1, section 270, of the  
California Code of Regulations)

The attachments are not being printed for practical reasons or space considerations. However, if you would

like to view the attachments please contact Margaret Molina at (916) 324-6044 or [mmolina@oal.ca.gov](mailto:mmolina@oal.ca.gov).

### DEPARTMENT OF CORRECTIONS AND REHABILITATION

Date: May 10, 2010

To: Fernando Medina ("Petitioner")

From: Chapter Two Compliance Unit

Subject: **2010 OAL DETERMINATION NO. 8 (S)**  
**(CTU2010-0312-02)**  
(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as underground regulations various documents concerning "Blank Greeting Cards" issued by California State Prison, Pelican Bay.

On March 12, 2010, you submitted a petition to the Office of Administrative Law (OAL) asking for a determination as to whether a policy regarding blank greeting cards at California State Prison, Pelican Bay, constitutes an underground regulation. The rule you challenge is contained in: 1) Operations Manual Supplement No. 54010.8.1 and 2) D.O.M.<sup>1</sup> 54010 Supplement Attachment 8 — Unauthorized Items via Regular Mail, attached hereto as Exhibit A and B, respectively.<sup>2</sup> The rule, as provided in the Operations Manual Supplement No. 54010.8.1 and D.O.M. 54010 Supplement Attachment 8 — Unauthorized Items via Regular Mail, states:

Blank greeting cards and homemade/computer-generated greeting card stock in excess of 20-weight paper will not be permitted to be received through incoming mail at PBSP.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600,<sup>3</sup> which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).<sup>4</sup> Nothing

<sup>1</sup> The D.O.M. is the Department Operations Manual published by the California Department of Corrections and Rehabilitation.

<sup>2</sup> Additional documents were also provided concerning Petitioner's personal situation and are not relevant to this summary disposition.

<sup>3</sup> "Regulation" means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

<sup>4</sup> Such a rule is called an "underground regulation" as defined in California Code of Regulations, title 1, section 250, subsection (a):

(Footnote 4 continued on next page)

in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

Generally, a rule which meets the definition of a “regulation” in Government Code section 11342.600 is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058, subdivision (c), establishes exemptions expressly for the California Department of Corrections and Rehabilitation (CDCR):

(c) The following are deemed not to be “regulations” as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility. . . .

This exemption is called the “local rule” exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4<sup>th</sup> 841, 845), the court discussed the nature of a “local rule” adopted by the warden for the Richard J. Donovan Correctional Facility (Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

. . .

The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the rule challenged by your petition applies solely to the inmates of the California State Prison, Pelican Bay and was issued by the warden of California State Prison, Pelican Bay. Inmates housed at other institutions are governed by those other institutions’ criteria for greeting cards. The rule you challenged was issued by the California State Prison, Pelican Bay, and applies only to inmates at California State Prison, Pelican Bay. Therefore, the rule is a “local rule” and is exempt from

(Footnote 4 continued from previous page)

“Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

compliance with the APA pursuant to Penal Code section 5058(c)(1). It is not an underground regulation.<sup>5</sup>

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

/s/

SUSAN LAPSLEY

Director

/s/

Elizabeth Heidig

Staff Counsel

Copy: Wm. J. Barlow, PBSP

Matthew Cate

Timothy Lockwood

John McClure

## DISAPPROVAL DECISION

### CALIFORNIA HIGHWAY PATROL

#### STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW

In re:

CALIFORNIA HIGHWAY PATROL

REGULATORY ACTION:

Title 13, California Code of Regulations

<sup>5</sup> The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.

(B) The challenged rule is contained in a California statute.

(C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.

(D) The challenged rule has expired by its own terms.

**(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule.** (Emphasis added.)

ADOPT SECTION 1235.7  
AMEND SECTIONS 1200, 1235.1,  
1235.2, 1235.4, AND 1256

DECISION OF DISAPPROVAL  
OF REGULATORY ACTION  
(Gov. Code, sec. 11349.3)

OAL File No. 2010-0319-04S

### SUMMARY OF REGULATORY ACTION

The California Highway Patrol (CHP) proposed to amend sections 1200, 1235.1, 1235.2, 1235.4, and 1256 in title 13 of the California Code of Regulations concerning the assignment of carrier identification numbers pursuant to Vehicle Code section 34507.5. The CHP also proposed to adopt section 1235.7 in title 13 concerning the leasing of motor vehicles by intrastate motor carriers. On March 19, 2010, the CHP submitted the proposed regulatory action to the Office of Administrative Law (OAL) for review in accordance with the Administrative Procedure Act (APA). On May 3, 2010, OAL disapproved the proposed adoption. This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

### DECISION

The Office of Administrative Law disapproved the above referenced regulatory action for the following reasons: failure to make changes available to the public; failure to comply with the necessity and clarity standards of Government Code section 11349; failure to make a document available to the public; the rulemaking file failed to include a statement of mailing for the notice, required by Government Code section 11346.8(a); and the text of the regulations submitted did not match the text of the regulations as printed in the California Code of Regulations.

Date: May 10, 2010

CRAIG S. TARPENNING  
Senior Staff Counsel  
for: SUSAN LAPSLEY  
Director

Original: Mike Brown  
cc: Gary Ritz

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2010-0405-01  
BOARD OF EQUALIZATION  
Rural Investment

This Section 100 Change Without Regulatory Effect repeals Title 18 CCR section 1525.7 and two associated forms governing the Rural Investment Tax Exemption authorized by Revenue and Taxation Code section 6378.1. Under the terms of Revenue and Taxation Code section 6378.1, subdivisions (a) and (l)(2), the Rural Investment Tax Exemption was only effective through December 31, 2005.

Title 18  
California Code of Regulations  
REPEAL: 1525.7  
Filed 05/11/2010  
Agency Contact:  
Richard Bennion (916) 445-2130

File# 2010-0330-01  
CALIFORNIA EMERGENCY MANAGEMENT  
AGENCY  
Office of Emergency Services — Change of Agency  
Name and Corrections

This change without regulatory effect implements Assembly Bill 38, Chapter 372, of 2008. Assembly Bill 38 changed the name of the agency from the Office of Emergency Services (OES) to the California Emergency Management Agency (Cal EMA) and changed the title of the head of the agency from Director to Secretary. This change without regulatory effect also made corrective grammar, spelling, alphabetizing, cross-reference, Authority and Reference Citation, and punctuation changes throughout the agency's regulations in titles 19 and 26 of the California Code of Regulations.



**Title 19, 26**

California Code of Regulations

AMEND: Title 19: 2402, 2407, 2411, 2413, 2415, 2425, 2443, 2444, 2450, 2501, 2510, 2520, 2530, 2540, 2570.2, 2571, 2573.1, 2573.2, 2573.3, 2575.1, 2575.2, 2576, 2576.1, 2577.2, 2577.3, 2577.5, 2577.6, 2577.7, 2577.8, 2578.1, 2578.2, 2578.3, 2703, 2705, 2724, 2729.2, 2731, 2735.1, 2735.3, 2735.4, 2735.5, 2745.1, 2745.10, 2750.2, 2750.3, 2765.2, 2775.6, 2780.1, 2780.2, 2780.3, 2780.4, 2780.6, 2780.7, 2800, 2810, 2815, 2820, 2825, 2830, 2835, 2850, 2855, 2900, 2910, 2915, 2925, 2930, 2940, 2945, 2955, 2965, 2966, 2970, 2980, 2990, Title 26: 19–2510, 19–2520, 19–2530, 19–2540, 19–2703, 19–2705, 19–2724, 19–2731

Filed 05/12/2010

Agency Contact:

Jesscia Kirschbraun (916) 323–9152

File# 2010–0330–02

**CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD**

Nepotism, Employment of Board Members, etc.

This regulatory action establishes the Board’s policy on nepotism and employment of anyone who previously served as a board member. It also makes some amendments to reflect statutory changes and comply with federal standards.

**Title 22**

California Code of Regulations

ADOPT: 5300, 5400 AMEND: 5002, 5010, 5052, 5055, 5062, 5102, 5105

Filed 05/12/2010

Effective 06/11/2010

Agency Contact: Kim Hickox (916) 263–6768

File# 2010–0325–01

**DEPARTMENT OF MENTAL HEALTH**

Local Mental Health Services Fund Cash Flow Statement

The Department of Mental Health (Department) repeals section 3520 from Title 9 of the California Code of Regulations. Section 3520 sets forth the specific information to be reported by counties to the Department and timeframe for submittal of the Local Mental Health Services Fund Cash Flow Statement. This Cash Flow Statement was originally developed by the Department to manage the unreserved cash balance of Mental Health Services Act funds distributed to the counties. The Department has subsequently changed their procedure and now relies on an Annual Mental Health Services Act Revenue and Expenditure Report found in section 3510.

**Title 9**

California Code of Regulations

REPEAL: 3520

Filed 05/07/2010

Effective 06/06/2010

Agency Contact: Steven Appel (916) 654–2319

File# 2010–0326–01

**DEPARTMENT OF SOCIAL SERVICES**

Title IV–E Roster Care Overpayment Regulations

This regulatory action is modifying the CDSS Manual of Policies and Procedures (MPP) to implement new regulations to reduce overpayments by placing the burden on counties to implement best practices and develop local oversight functions to reduce the occurrence of overpayments through county errors. These MPP regulations implement processes, procedures to identify, track, report, collect and remit the federal share of Title IV–4 Foster care and adoption assistance overpayments.

**Title MPP**

California Code of Regulations

AMEND: 11–425, 22–001, 22–003, 22–009, 45–302, 45–303, 45–304, 45–305, 45–306

Filed 05/10/2010

Effective 05/10/2010

Agency Contact:

Zaid Dominguez (916) 657–2586

File# 2010–0324–01

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

Consolidated Universal Waste Regulations

This change without regulatory effect amends section 66273.36 of title 22 of the California Code of Regulations by deleting the language “from offsite sources.” This amendment does not alter who is subject to the training requirements of section 66273.36.

**Title 22**

California Code of Regulations

AMEND: 66273.36

Filed 05/06/2010

Agency Contact: Jeff Woled (916) 322–5225

File# 2010–0414–02

**FAIR POLITICAL PRACTICES COMMISSION**

Source of Gifts

This action amends the FPPC’s existing regulation governing determination of when one is an intermediary when making a gift to an official.

Title 2

California Code of Regulations

AMEND: 18945

Filed 05/11/2010

Effective 06/10/2010

Agency Contact:

Virginia Latteri-Lopez

(916) 324-3854

File# 2010-0323-04

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

Hot Pipes and Hot Surfaces

The Occupational Safety and Health Standards Board amended section 3308 of Title 8 of the California Code of Regulations. The section required employers to insulate or guard hot pipes and hot surfaces "capable of burning human tissue on momentary contact" that are located within 7 feet vertically from the floor or working level or within 15 inches measured horizontally from stairways, ramps or fixed ladders. The phrase "capable of burning human tissue on momentary contact" has been replaced with "of 140 degrees F (60 degrees C) or higher."

Title 8

California Code of Regulations

AMEND: 3308

Filed 05/05/2010

Effective 06/04/2010

Agency Contact: Marley Hart

(916) 274-5721

File# 2010-0401-01

STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998; Seismic Program Amendments

This certificate of compliance makes permanent the Board's prior emergency regulatory action (OAL file no. 2009-1119-03E) that amended the regulation to reduce the ground shaking threshold from 1.70 g to 1.68 g, and expanded the structural building types eligible for the Seismic Mitigation Program to encourage greater participation in this program that funds seismic repair, reconstruction, or replacement of "the most vulnerable" school facilities. These changes enable approximately \$167.2 million in seismic mitigation projects to qualify for the \$199.5 million in authorized funding.

Title 2

California Code of Regulations

AMEND: 1859.2

Filed 05/06/2010

Effective 05/06/2010

Agency Contact: Robert Young

(916) 375-5939

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN December 9, 2009 TO  
May 12, 2010**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

05/11/10 AMEND: 18945  
05/06/10 AMEND: 1859.2  
05/03/10 AMEND: 60040, 60045  
04/21/10 AMEND: 1859.96, 1859.148.2, 1859.166.2  
04/08/10 AMEND: 1859.76  
03/23/10 AMEND: 18351  
03/19/10 ADOPT: 59670  
03/19/10 AMEND: 18942 REPEAL: 18630  
03/11/10 AMEND: 18932.4  
02/24/10 AMEND: 1859.2, 1859.41, Form SAB 50-01, Form SAB 50-02  
02/23/10 AMEND: div. 8, ch. 16, sec. 37000  
02/19/10 AMEND: 52400  
02/11/10 ADOPT: 18421.9 AMEND: 18431  
02/11/10 AMEND: 18950.3  
02/09/10 ADOPT: 59660  
01/26/10 ADOPT: 1899.570, 1899.575, 1899.580, 1899.585  
01/25/10 AMEND: 58100  
01/19/10 AMEND: div. 8, ch. 102, sec. 59100  
01/14/10 AMEND: Section 27000  
01/13/10 ADOPT: div. 8, ch. 119, sec. 59640  
01/11/10 ADOPT: 18229.1, 18944 REPEAL: 18944  
01/05/10 AMEND: div. 8, ch. 49, sec. 53800  
12/22/09 AMEND: 1859.96, 1859.148.2, 1859.166.2  
12/21/09 AMEND: 1896.4, 1896.12  
12/21/09 ADOPT: 20714.5 AMEND: 20711, 20712, 20714, 20716, 20717, 20718, 20719

**Title 3**

05/04/10 AMEND: 3423(b)  
05/04/10 AMEND: 3437(b)  
05/04/10 AMEND: 3434(b)  
05/03/10 AMEND: 3434(b), 3434(c) and 3434(d)  
04/22/10 AMEND: 3434(b)  
04/22/10 AMEND: 3406(b), 3406(c)  
04/20/10 AMEND: 3437(b)

04/15/10 AMEND: 3434(b)  
 04/05/10 AMEND: 3434(b)  
 03/24/10 ADOPT: 3436  
 03/24/10 AMEND: 3588  
 03/17/10 AMEND: 3423(b)  
 03/15/10 AMEND: 3434(b)  
 03/10/10 AMEND: 3591.20(a)  
 03/10/10 AMEND: 3434(b)  
 03/04/10 AMEND: 3700(c)  
 03/04/10 AMEND: 3406(b)  
 03/03/10 REPEAL: 3279, 3433  
 03/03/10 AMEND: 3591.20  
 03/03/10 AMEND: 3406(b)  
 03/03/10 AMEND: 3423(b)  
 03/03/10 ADOPT: 3437  
 02/26/10 AMEND: 3435  
 02/18/10 AMEND: 3591.23  
 02/18/10 ADOPT: 3591.24  
 01/25/10 AMEND: 3434(b)  
 01/25/10 AMEND: 3406(b)  
 01/25/10 ADOPT: 1430.54, 1430.55, 1430.56,  
 1430.57  
 01/19/10 ADOPT: 3436  
 01/12/10 AMEND: 3434(b)  
 01/11/10 AMEND: 3406(b) and (c)  
 01/06/10 AMEND: 3435(b)  
 01/04/10 AMEND: 2675, 2734, 2735  
 12/31/09 AMEND: 3434(b), (c), (e)  
 12/29/09 AMEND: 3423(b)  
 12/28/09 AMEND: 3434(b)  
 12/28/09 AMEND: 3434(b)  
 12/16/09 AMEND: 3591.20(a)  
 12/16/09 AMEND: 3406(b)(c)

**Title 4**

04/29/10 AMEND: 8034, 8035, 8042, 8043  
 04/13/10 ADOPT: 12350, 12351, 12352, 12353,  
 12354, 12355 AMEND: 12008, 12335,  
 12340, 12342, 12343 renumbered as and  
 merged with amended 12342, 12344  
 renumbered as and merged with amended  
 12345, and 12348 renumbered as 12346  
 REPEAL: 12347  
 04/06/10 ADOPT: 12372, 12395, 12396 AMEND:  
 12370  
 03/29/10 AMEND: 1685  
 03/29/10 AMEND: 1632  
 03/25/10 AMEND: 10175, 10176, 10177, 10178,  
 10179, 10180, 10181, 10182, 10185,  
 10187, 10188, 10190  
 03/15/10 ADOPT: 12482  
 02/01/10 AMEND: 1867  
 01/29/10 AMEND: 1866  
 01/27/10 AMEND: 10020  
 01/27/10 AMEND: 1890

01/27/10 AMEND: 1859  
 01/27/10 AMEND: 1843.6 and 1858  
 12/17/09 AMEND: 8070, 8072, 8073, 8074  
 12/09/09 AMEND: 12388

**Title 5**

04/15/10 AMEND: 19816, 19816.1  
 04/12/10 REPEAL: 40503  
 04/12/10 AMEND: 42002  
 02/26/10 AMEND: 19824, 19851, 19854  
 02/01/10 ADOPT: 70030, 70040, 71135, 71320,  
 71390, 71395, 71400.5, 71401, 71475,  
 71480, 71485, 71640, 71650, 71655,  
 71716, 71750, 71760, 74110, 74115,  
 76020, 76140, 76212, 76240 AMEND:  
 70000, 70010, 70020, 71100, 71110,  
 71120, 71130, 71140, 71150, 71160,  
 71170, 71180, 71190, 71200, 71210,  
 71220, 71230, 71240, 71250, 71260,  
 71270, 71280, 71290, 71300, 71310,  
 71340, 71380, 71400, 71405, 71450,  
 71455, 71460, 71465, 71470, 71500,  
 71550, 71600, 71630, 71700, 71705,  
 71710, 71715, 71720, 71730, 71735,  
 71740, 71745, 71770, 71810, 71850,  
 71865, 71920, 71930, 74000, 74002,  
 74004, 74006, 74120, 74130, 74140,  
 74150, 74160, 74170, 74190, 74200,  
 76000, 76120, 76130, 76200, 76210,  
 76215 REPEAL: 70030, 71000, 71005,  
 71010, 71020, 71330, 71360, 71410,  
 71415, 71420, 71490, 71495, 71505,  
 71510, 71515, 71520, 71555, 71560,  
 71565, 71605, 71610, 71615, 71650,  
 71655, 71725, 71775, 71800, 71805,  
 71830, 71855, 71860, 71870, 71875,  
 71880, 71885, 71890, 71900, 71905,  
 71910, 72000, 72005, 72010, 72020,  
 72101, 72105, 72110, 72120, 72130,  
 72140, 72150, 72160, 72170, 72180,  
 72190, 72200, 72210, 72220, 72230,  
 72240, 72250, 72260, 72270, 72280,  
 72290, 72300, 72310, 72330, 72340,  
 72360, 72380, 72400, 72405, 72410,  
 72415, 72420, 72450, 72455, 72460,  
 72465, 72470, 72500, 72505, 72515,  
 72520, 72550, 72555, 72560, 72565,  
 72570, 72600, 72605, 72610, 72615,  
 72650, 72655, 72700, 72701, 72705,  
 72710, 72715, 72720, 72725, 72730,  
 72735, 72740, 72745, 72770, 72775,  
 72800, 72805, 72810, 72830, 72850,  
 72855, 72860, 72865, 72870, 72875,  
 72880, 72885, 72890, 72900, 72905,  
 72910, 72915, 72920, 72930, 73000,

73010, 73100, 73110, 73120, 73130, 73140, 73150, 73160, 73165, 73170, 73180, 73190, 73200, 73210, 73220, 73230, 73240, 73260, 73270, 73280, 73290, 73300, 73310, 73320, 73330, 73340, 73350, 73360, 73380, 73390, 73400, 73410, 73420, 73430, 73440, 73470, 73480, 73500, 73520, 73530, 73540, 73550, 73600, 73610, 73620, 73630, 73640, 73650, 73660, 73670, 73680, 73690, 73700, 73710, 73720, 73730, 73740, 73750, 73760, 73765, 73770, 73780, 73790, 73800, 73820, 73830, 73831, 73832, 73850, 73860, 73870, 73880, 73890, 73900, 73910, 74008, 74010, 74014, 74016, 74018, 74020, 74030, 74040, 74050, 74100, 74180, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130, 76010	12/21/09	ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533
<b>Title 10</b>		
	05/04/10	AMEND: 2699.6625
	04/28/10	AMEND: 2318.6
	04/28/10	AMEND: 2318.6, 2353.1, 2354
	04/28/10	AMEND: 2353.1
	04/21/10	AMEND: 2699.202
	04/21/10	AMEND: 2699.202
	04/13/10	ADOPT: 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, 2031.7, 2031.8, 2031.9, 2031.10
	04/12/10	AMEND: 2690
	04/06/10	ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10
	04/01/10	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437, 1950.122.2.1, 1950.122.4, 1950.122.4.1, 1950.122, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317 REPEAL: 1950.122
01/21/10		ADOPT: 30701, 30702, 30703, 30704, 30705, 30706, 30707, 30708, and 30709 REPEAL: 30701, 30702, 30703, 30704, 30705, 30706, 30707, 30708, and 30709
01/21/10		ADOPT: 80034.1, 80034.2, 80034.3 AMEND: 80035, 80035.1, 80035.5
01/04/10		AMEND: 1203, 1204, 1205, 1206, 1207.1, 1208, 1209, 1211, 1217, 1218, 1219, 1220, 1225
12/18/09		AMEND: 41905
12/16/09		ADOPT: 19828.4, 19837.3, 19839, 19845.2 AMEND: 19815, 19816, 19816.1, 19828.3, 19837.2, 19845.1, 19846
12/16/09		ADOPT: 30730, 30731, 30732, 30733, 30734, 30735, 30736
<b>Title 8</b>		
05/05/10		AMEND: 3308
04/06/10		AMEND: 2305.2, 2340.16, 2360.3, 2405.4, 2534.8
03/24/10		AMEND: 4301
03/10/10		AMEND: 6070, 6074, 6075, 6080, 6085, 6087, 6089, 6090, 6100, 6115, 6120, Article 154, Appendix A, Appendix B
02/03/10		AMEND: 5155
02/02/10		AMEND: 1549(h)
12/09/09		AMEND: 9812, 10111.2
<b>Title 9</b>		
05/07/10		REPEAL: 3520
04/28/10		ADOPT: 4350
04/20/10		ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533
12/21/09		ADOPT: 9550
	03/29/10	AMEND: 2202, 2203
	03/18/10	ADOPT: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507
	02/23/10	ADOPT: 2756, 2758.1, 2758.2, 2758.3, 2758.4, 2758.5, 2758.6, 2758.7, 2945.1, 2945.2, 2945.3, 2945.4 AMEND: 2750, 2911
	02/23/10	ADOPT: 2187, 2187.1, 2187.3, 2187.6, 2188.2.5, 2188.5.5, 2188.50(a), 2188.50(b), 2188.50(c), 2188.50(e), 2188.50(h) AMEND: 2186, 2186.1, 2187 (renumbered to 2187.3), 2187.1 (renumbered to 2187.2), 2187.2 (renumbered to 2187.7), 2187.3 (renumbered to 2187.4), 2187.4 (renumbered to 2187.5), 2188, 2188.1, 2188.2, 2188.3, 2188.4, 2188.5, 2188.23 (renumbered to 2188.50(d)), 2188.24 (renumbered to 2188.50(f)), 2188.83 (renumbered to 2188.50(g))
	02/03/10	AMEND: 2695.85



01/21/10	ADOPT: 3575, 3576, 3577 AMEND: 3500, 3522, 3523, 3524, 3526, 3527, 3528, 3529, 3530, 3582, 3681, 3702, 3703, 3721, 3724, 3726, 3728, 3731, 3741	02/16/10	ADOPT: 15064.4, 15183.5, 15364.5 AMEND: 15064, 15064.7, 15065, 15086, 15093, 15125, 15126.2, 15126.4, 15130, 15150, 15183, Appendix F, Appendix G
01/07/10	AMEND: 2651.1, 2652.1, 2652.10, 2653.3, 2653.4, 2653.5, 2654.1, 2655.3, 2655.4	02/09/10	ADOPT: 1.54, 5.70, 5.83 AMEND: 1.74, 2.00, 2.09, 2.30, 3.00, 5.00, 5.15, 5.30, 5.37, 5.40, 5.51, 5.60, 5.79, 5.80, 5.81, 5.82, 5.87, 5.88, 7.00, 7.50, 8.00, 27.80, 27.92, 29.90, 700, 701
12/15/09	REPEAL: 2232.45.1, 2232.45.2, 2232.45.3, 2232.45.4, 2232.45.5	02/03/10	AMEND: 11960
<b>Title 11</b>		02/01/10	AMEND: 1257
04/21/10	AMEND: 1084	01/29/10	AMEND: 791.7, 792
03/30/10	AMEND: 1084	01/28/10	AMEND: 2090, 2425, 2525, 2530
01/11/10	38.3	01/14/10	ADOPT: 749.5
01/05/10	AMEND: 900, 901, 902, 903, 904, 905, 906 REPEAL: 907, 908, 909, 910, 911	01/13/10	REPEAL: 1.18
<b>Title 13</b>		01/08/10	AMEND: 4970.00, 4970.01, 4970.05, 4970.06.1, 4970.07, 4970.07.2, 4970.08, 4970.10, 4970.10.1, 4970.10.3, 4970.10.4, 4970.11, 4970.14.1, 4970.14.3, 4970.15.1, 4970.15.2, 4970.15.3, 4970.17, 4970.19, 4970.19.2, 4970.19.4, 4970.20, 4970.21, 4970.22, 4970.24, 4970.25.1, 4970.26
04/27/10	AMEND: 1160.3, 1160.4	12/29/09	AMEND: 4609
04/13/10	AMEND: 1201, 1212, 1213	12/21/09	AMEND: 670.5
04/05/10	ADOPT: 2408.1 AMEND: 2401, 2403, 2404, 2405, 2406, 2408, 2409	12/21/09	AMEND: 2310, 2320
04/01/10	AMEND: 1961, 1961.1	<b>Title 15</b>	
04/01/10	AMEND: 1961, 1961.1	04/26/10	ADOPT: 3720, 3721, 3721.1, 3722, 3723
03/25/10	AMEND: 2480	02/24/10	AMEND: 7001
03/04/10	ADOPT: 205.00, 205.02, 205.04, 205.06, 205.08, 205.10, 205.12, 205.14	02/16/10	ADOPT: 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3560, 3561, 3562, 3563, 3564, 3565
03/03/10	AMEND: 423.00	02/02/10	ADOPT: 3054.3 AMEND: 3054, 3054.1, 3054.2, 3054.3 (renumbered to 3054.4), 3054.4 (renumbered to 3054.5), 3054.5 (renumbered to 3054.6), 3054.6 (renumbered to 3054.7)
02/22/10	AMEND: 350.36, 350.38, 350.40, 350.44, 350.46	01/25/10	ADOPT: 3042 AMEND: 3040, 3040.1, 3041, 3041.2, 3043, 3043.1, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045, 3045.1, 3045.2, 3045.3 REPEAL: 3040.2
01/14/10	ADOPT: 2032 AMEND: 1961, 1962, 1962.1, 1976, 1978	01/25/10	ADOPT: 3075.2(b)(4) through (b)(4)(C), 3075.3(c), 3505 AMEND: 3000, 3075.2, 3075.3, 3502, 3504
01/05/10	AMEND: 553.70	01/07/10	AMEND: 1, 100, 102, 260, 261, 262, 263, 351, 352, 353, 354, 355, 356, 358, 1006, 1010, 1029, 1032, 1045, 1055, 1056, 1063, 1081, 1083, 1084, 1100, 1122, 1140, 1160, 1245, 1260, 1264, 1272, 1280
12/31/09	AMEND: 2449, 2449.1, 2449.2	01/07/10	ADOPT: 3768, 3768.1, 3768.2, 3768.3 REPEAL: 3999.6
12/31/09	AMEND: 2449, 2449.1, 2449.2	12/29/09	ADOPT: 3378.3 AMEND: 3000, 3378.1
12/15/09	ADOPT: 155.07 AMEND: 155.05		
12/09/09	ADOPT: 2025		
<b>Title 14</b>			
05/03/10	AMEND: 820.01		
04/30/10	AMEND: 27.80		
04/27/10	AMEND: 632		
04/20/10	AMEND: 895.1, 914.6, 934.6, 954.6, 1024, 1025, 1026, 1030, 1052, 1052.1, 1052.4, 1092, 1092.01, 1092.09, 1092.29		
03/29/10	ADOPT: 18452.1 AMEND: 18449, 18450, 18451, 18453, 18453.2, 18454, 18455, 18456, 18456.1, 18456.2, 18456.3, 18456.4, 18457, 18459, 18459.1, 18459.1.2, 18459.2.1, 18459.3, 18460.1, 18460.1.1, 18460.2, 18461, 18462, 18463, 18464, 18466, 18831 REPEAL: 18456.2.1, 18460.2.1		
03/10/10	AMEND: 670.5		
02/23/10	AMEND: 1052(a)		
02/18/10	AMEND: 155		

12/21/09	AMEND: 3287, 3290	03/30/10	ADOPT: 3500 AMEND: 2300, 2401, 3502, 4041, 4500, 4508, 4701, 4702, 4703, 4901
<b>Title 16</b>		03/19/10	ADOPT: 25101.3 AMEND: 25137-7
05/04/10	ADOPT: 4175	03/17/10	AMEND: 1699
04/27/10	AMEND: 1399.152, 1399.153.3, 1399.160.3, 1399.160.4	03/16/10	AMEND: 312(a)
04/12/10	ADOPT: 3340.36.1	03/16/10	AMEND: 1597
03/29/10	ADOPT: 1355.4	01/25/10	AMEND: 2504, 2505, 2506, 2507, 2508, 2509, 2512, 2513, 2514, 2525, 2530, 2535, 2536, 2537, 2538, 2540, 2541, 2542, 2543, 2544, 2557, 2560, 2561
03/16/10	ADOPT: 311.1	01/20/10	AMEND: 5237, 5266
03/09/10	AMEND: 1016, 1017 REPEAL: 1016.1, 1017.1	<b>Title 19, 26</b>	
03/08/10	AMEND: 4100	05/12/10	AMEND: Title 19: 2402, 2407, 2411, 2413, 2415, 2425, 2443, 2444, 2450, 2501, 2510, 2520, 2530, 2540, 2570.2, 2571, 2573.1, 2573.2, 2573.3, 2575.1, 2575.2, 2576, 2576.1, 2577.2, 2577.3, 2577.5, 2577.6, 2577.7, 2577.8, 2578.1, 2578.2, 2578.3, 2703, 2705, 2724, 2729.2, 2731, 2735.1, 2735.3, 2735.4, 2735.5, 2745.1, 2745.10, 2750.2, 2750.3, 2765.2, 2775.6, 2780.1, 2780.2, 2780.3, 2780.4, 2780.6, 2780.7, 2800, 2810, 2815, 2820, 2825, 2830, 2835, 2850, 2855, 2900, 2910, 2915, 2925, 2930, 2940, 2945, 2955, 2965, 2966, 2970, 2980, 2990, Title 26: 19-2510, 19-2520, 19-2530, 19-2540, 19-2703, 19-2705, 19-2724, 19-2731
02/24/10	AMEND: 4120	<b>Title 21</b>	
02/22/10	ADOPT: 2262.1 AMEND: 2262	01/21/10	ADOPT: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652
02/18/10	ADOPT: 50.1	<b>Title 22</b>	
02/16/10	ADOPT: 318.1	05/12/10	AMEND: 11-425, 22-001, 22-003, 22-009, 45-302, 45-303, 45-304, 45-305, 45-306
01/06/10	AMEND: 1505	05/06/10	AMEND: 66273.36
01/06/10	ADOPT: 2.4	04/08/10	AMEND: 50778
01/06/10	ADOPT: 1735, 1735.1, 1735.2, 1735.3, 1735.4, 1735.5, 1735.6, 1735.7, 1735.8 AMEND: 1751, 1751.01, 1751.02, 1751.1, 1751.2, 1751.3, 1751.4, 1751.5, 1751.6, 1751.7, 1751.8, 1751.9 REPEAL: 1716.1, 1716.2, 1751.1, 1751.6, 1751.9	04/05/10	AMEND: 4446.5
12/18/09	ADOPT: 81, 87.8, 87.9 AMEND: 80, 87, 87.1, 87.7, 88, 88.1, 88.2, 89	03/03/10	AMEND: 70055, 70577, 70703, 70706, 70707, 70717, 70749, 70751, 70753, 71053, 71203, 71205, 71503, 71507, 71517, 71545, 71551, 71553, 72091, 72109, 72303, 72311, 72315, 72319, 72337, 72413, 72423, 72433, 72453, 72461, 72471, 72515, 72523, 72525, 72528, 72543, 72547, 73077, 73089, 73301, 73303, 73311, 73313, 73315,
12/16/09	ADOPT: 3340.45 AMEND: 3340.5, 3340.15, 3340.16, 3340.42		
12/10/09	ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48, 48.1, 48.2, 48.3, 48.5, 48.6		
12/09/09	AMEND: 1314.1		
<b>Title 17</b>			
04/15/10	AMEND: 95480.1, 95481, 95486		
04/07/10	AMEND: 1031.2, 1031.3		
02/08/10	AMEND: 95362, 95365, 95366, 95367, 95368		
01/12/10	ADOPT: 95480, 95480.1, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95489, 95490		
12/28/09	ADOPT: 95340, 95341, 95342, 95343, 95344, 95345, 95346		
12/17/09	ADOPT: 100600, 100601, 100602, 100603, 100604, 100605, 100606, 100607, 100608, 100609, 100610, 100611		
12/14/09	ADOPT: 95320, 95321, 95322, 95323, 95324, 95325, 95326		
12/09/09	ADOPT: 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311		
<b>Title 18</b>			
05/11/10	REPEAL: 1525.7		
04/14/10	AMEND: 192, 193, 371		

73325, 73329, 73399, 73409, 73449,  
73469, 73479, 73489, 73517, 73519,  
73523, 73524, 73543, 73547, 79315,  
79351, 79637, 79689

02/24/10 ADOPT: 97177.10, 97177.15, 97177.20,  
97177.25, 97177.30, 97177.35,  
97177.45, 97177.50, 97177.55,  
97177.60, 97177.65, 97177.67,  
97177.70, 97177.75, 97199.50, 97200  
AMEND: 97170, 97172, 97174, 97176,  
97178, 97180, 97182, 97184, 97186,  
97188, 97190, 97192, 97194  
(renumbered as 97199), 97196, 97198

02/23/10 AMEND: 7000

01/27/10 AMEND: 4402.2, 4406, 4409, 4420,  
4420.5, 4426

01/21/10 AMEND: 455.5–6, 455.5–7, 455.5–8

12/31/09 AMEND: 97018, 97019, 97215, 97216,  
97222, 97225, 97226, 97227, 97231,  
97232, 97234, 97240, 97241, 97244,  
97245, 97246, 97249, 97260, 97261,  
97264, 97267

12/21/09 AMEND: 7314

**Title 22, MPP**

03/04/10 ADOPT: 89475.1, 89475.2 AMEND:  
89200, 89201, 89202, 89205, 89206,  
89207, 89218, 89219, 89219.1, 89219.2,  
89224, 89226, 89227, 89228, 89229,  
89231, 89234, 89235, 89240, 89242,  
89244, 89246, 89252, 89254, 89255,  
89255.1, 89256, 89286, 89317, 89318,  
89319, 89323, 89361, 89370, 89372,  
89373, 89374, 89376, 89377, 89378,  
89379, 89387, 89387.1 renumbered as  
89387(h), 89387.2, 89388, 89400,  
89405, 89410, 89420, 89421, 89465,  
89468, 89469, 89475, 89510.1, 89510.2,  
89565.1, 89566, 89569.1, 89572.2,  
89587.1 REPEAL: 89245, 89261,  
89570.1

02/04/10 ADOPT: 84074 AMEND: 83074, 83087,  
84087, 84274, 86074, 86087, 86574,  
89374

**Title 23**

03/10/10 AMEND: 3005

03/04/10 ADOPT: 2631.2

02/25/10 ADOPT: 3919.6

